

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ALBERTO-CULVER USA, INC., )  
v. Plaintiff, ) Case No. 1:09-cv-05899  
THE PROCTER & GAMBLE COMPANY )  
and NOXELL CORPORATION, ) Judge Suzanne B. Conlon  
Defendants. )

## NOTICE OF MOTION

**PLEASE TAKE NOTICE** that on Tuesday, February 9, 2010, at 9:00 a.m., or as soon thereafter as counsel may be heard, we shall appear before the Honorable Suzanne B. Conlon in Room 1743, or any judge sitting in her stead, and then and there present **Plaintiff Alberto-Culver USA, Inc.’s Motion for Leave to File Its First Amended Complaint.**

Dated: February 1, 2010

Respectfully submitted,

/s/ Terrence J. Dee  
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*Counsel for Plaintiff Alberto-Culver USA, Inc.*

## CERTIFICATE OF SERVICE

Terrence J. Dee, one of the attorneys for Plaintiff Alberto-Culver USA, Inc., hereby certifies that on February 1, 2010, a true and correct copy of the foregoing **Notice of Plaintiff Alberto-Culver USA, Inc.'s Motion for Leave to File Its First Amended Complaint** was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ Terrence J. Dee

Terrence J. Dee, P.C.